

UTILITY PATENT APPLICATION TRANSMITTAL (Small Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.
1013/US/2

Total Pages in this Submission

TO THE COMMISSIONER FOR PATENTS

Mail Stop Patent Application

P.O. Box 1450

Alexandria, VA 22313-1450

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

VEHICLE WASH APPARATUS WITH AN ADJUSTABLE BOOM

and invented by:

Daniel A. Fratello, James Johnson, Michael W. Mingee, Jon Leppo, David M. Gauthier, Eric Engen, Dennis McCadden, and Thanh J. Tran

If a **CONTINUATION APPLICATION**, check appropriate box and supply the requisite information:
☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 09/849,763

Which is a:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.:

Which is a:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.:

Enclosed are:

Application Elements

1. ☒ Filing fee as calculated and transmitted as described below
2. ☒ Specification having 45 pages and including the following:
 - a. ☒ Descriptive Title of the Invention
 - b. ☒ Cross References to Related Applications (if applicable)
 - c. ☐ Statement Regarding Federally-sponsored Research/Development (if applicable)
 - d. ☐ Reference to Sequence Listing, a Table, or a Computer Program Listing Appendix
 - e. ☒ Background of the Invention
 - f. ☒ Brief Summary of the Invention
 - g. ☒ Brief Description of the Drawings (if filed)
 - h. ☒ Detailed Description
 - i. ☒ Claim(s) as Classified Below
 - j. ☒ Abstract of the Disclosure

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Application Elements (Continued)

3. ☒ Drawing(s) (when necessary as prescribed by 35 USC 113)
- a. ☒ Formal Number of Sheets 25
- b. ☐ Informal Number of Sheets _____
4. ☒ Oath or Declaration
- a. ☐ Newly executed (original or copy) ☐ Unexecuted
- b. ☒ Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional application only)
- c. ☒ With Power of Attorney ☐ Without Power of Attorney
- d. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application,
see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5. ☒ Incorporation By Reference (usable if Box 4b is checked)
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. ☐ CD ROM or CD-R in duplicate, large table or Computer Program (Appendix)
7. ☐ Application Data Sheet (See 37 CFR 1.76)
8. ☐ Nucleotide and/or Amino Acid Sequence Submission (if applicable, all must be included)
- a. ☐ Computer Readable Form (CFR)
- b. ☐ Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
- ii. ☐ Paper
- c. ☐ Statement(s) Verifying Identical Paper and Computer Readable Copy

Accompanying Application Parts

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(B) Statement (when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☒ Information Disclosure Statement/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☒ Certificate of Mailing
- ☐ First Class ☒ Express Mail (Specify Label No.): EV 410 058 690 US

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Total Pages in this Submission

17. ☒ Applicant claims small entity status. See 37 CFR 1.27.

☐ (Optional) Small Entity Statement(s) - Specify Number of Statements Submitted:

18. ☐ Additional Enclosures (please identify below):

[illegible]

19. ☐ Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.

An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(i), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.

17281 U.S. PTO
021004

UTILITY PATENT APPLICATION TRANSMITTAL (Small Entity)

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Fee Calculation and Transmittal

CLAIMS AS FILED

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	56	- 20 =	36	x \$9.00	\$324.00
Indep. Claims	13	- 3 =	10	x \$43.00	\$430.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
BASIC FEE					\$385.00
OTHER FEE (specify purpose) _____					\$0.00
TOTAL FILING FEE					\$1,139.00

- ☒ A check in the amount of **\$1,139.00** to cover the filing fee is enclosed.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. **04-1415** as described below.
- ☐ Charge the amount of _____ as filing fee.
 - ☒ Credit any overpayment.
 - ☒ Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.
 - ☐ Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

Dated: Feb 9, 2004


Signature
Gary M. Polumbus, Reg. No. 25,364
DORSEY & WHITNEY LLP
370 Seventeenth Street, Suite 4700
Denver, CO 80202-5647
Tel.: (303) 629-3400
Fax: (303) 629-3450

cc: Mark VII Equipment, Inc. and IP Docketing-DV

USPTO Customer No. 20686

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Daniel A. Fratello et al.

Appln. No.: 09/849,763

Filed: May 4, 2001

For: VEHICLE WASH APPARATUS WITH
AN ADJUSTABLE BOOM

Confirmation No.: 2651

Group Art Unit: 1746

Examiner: Frankie L. Stinson

CERTIFICATE OF MAILING BY EXPRESS MAIL

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The undersigned hereby certifies that the following documents:

1. Notification of Filing Divisional Application Under 37 C.F.R. § 1.153(b);
2. Certificate of Mailing by Express Mail; and
3. Return Card,

relating to the above application, were deposited as "Express Mail," Mailing Label No. EV 410 058 690 US with the United States Postal Service, addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 10 day of February 2004.

Date: 2/10/2004

Jane M. Lalis
Mailer

Jane M. Lalis
Signature of Mailer
DORSEY & WHITNEY LLP
USPTO Customer No. 20686

Express Mail No. EV 410 058 690 US
Attorney Docket No. 5544.00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Confirmation No.: 2651
Daniel A. Fratello et al. Group Art Unit: 1746
Appln. No.: 09/849,763 Examiner: Frankie L. Stinson
Filed: May 4, 2001
For: VEHICLE WASH APPARATUS WITH AN ADJUSTABLE BOOM

NOTIFICATION OF FILING DIVISIONAL APPLICATION
UNDER 37 C.F.R. § 1.53(b)

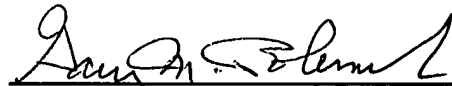
Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant, by and through the undersigned attorney, hereby notifies the United States Patent and Trademark Office of a divisional application under 37 C.F.R. § 1.53(b), which application is being filed concurrently herewith, entitled VEHICLE WASH APPARATUS WITH AN ADJUSTABLE BOOM.

Signed at Denver, Colorado, this 9th day of February 2004.

Respectfully submitted,



Gary M. Polumbus, Reg. No. 25,364
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USPTO Customer No. 20686

cc: U.S. Divisional Application (Attorney Docket No. 1013/US/2)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:	Confirmation No.: Not Yet Assigned
Daniel A. Fratello et al.	Group Art Unit: Not Yet Assigned
Appln. No.: Not Yet Assigned	Examiner: Not Yet Assigned
Filed: Herewith	
For: VEHICLE WASH APPARATUS WITH AN ADJUSTABLE BOOM	

CERTIFICATE OF MAILING BY EXPRESS MAIL

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The undersigned hereby certifies that the following documents:

1. Utility Patent Application Transmittal (Small Entity);
2. Application Data Sheet;
3. Specification, claims, and Abstract (45 pages);
4. Twenty-five (25) formal drawing sheets;
5. Photocopy of executed Declaration and Power of Attorney for Patent Application from prior United States application No. 09/849,763;
6. Information Disclosure Statement Under 37 C.F.R. §§ 1.97(b)(1) and 1.98;
7. Information Disclosure Statement by Applicant (Form PTO-1449);
8. Photocopy of Notification of Filing Divisional Application Under 37 C.F.R. § 1.153(b);
9. Check for \$1,139.00;
10. Certificate of Mailing by Express Mail; and
11. Return Card,

relating to the above application, were deposited as "Express Mail," Mailing Label No. EV 410 058 690 US with the United States Postal Service, addressed to Mail Stop Patent

Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this
10 day of February 2004.

Date: 2/10/2004

Jane M. Lalis
Mailer

Jane Lalis
Signature of Mailer
DORSEY & WHITNEY LLP
USPTO Customer No. 20686